

REMARKS

This Amendment is filed in response to the Office Action mailed on September 14, 2005. All objections and rejections are respectfully traversed.

At paragraphs 4 and 5 of the Office Action, claims 1, 3-5, 11, 12, 18-21, 24, and 28 were rejected under 35 U.S.C. §103 over Anderson et al., US Patent No. 6,567,122, hereinafter Anderson, in view of Luster, US Patent No. 5,715,051, hereinafter Luster.

By way of background, Anderson teaches of a webcam connected to a telephone line for broadcasting an image. The image may be controlled through a webpage, but webcam's controls are limited to frequency of images recorded, zoom, pan, tilt, and rotate the camera.

Luster describes a typical machine vision system as described in the background of Applicant's specification. The machine vision system in Luster includes a camera connected to a computer, where an image captured by the camera is analyzed by the computer.

For a rejection under 35 U.S.C. §103 to be proper, the combined references must contain or suggest *each and every element* of the rejected claim, *and* the references must suggest such combination to those skilled in the art. Neither Anderson nor Luster teach of the *processing element includes a web server to allow the human/machine interface to setup and control the processor from a remote location*. Anderson only teaches of controlling the webcam by a user of the picture to be taken and not of the idea of training

the processor how to control the machine vision system to run on its own. The processor in Applicant's invention can control the camera to receive the information necessary for calculations. There is nothing in Anderson's webcam that will allow the webcam to move on its own based on trained patterns or to start and stop based on the presences of an object. (Spec. page 8 line 25 to page 9 line 2). The webcam in Anderson is just a simple camera controlled directly by a user over the internet. There is no teaching or suggestion in Anderson or Luster of controlling a machine vision system over the Internet, or a like network. Furthermore, Luster only teaches of a computer controlled machine vision system and not a machine vision system controlled from a remote location.

It would not be obvious for one skilled in the art to combine Luster and Anderson, and if combined, Luster and Anderson would not create Applicant's invention. Anderson is a simple webcam and Luster is a conventional machine vision system. There is no teaching in Anderson to use the camera to analyze the image with a series of calculations. Additionally, Luster does not suggest the need for remote access to the machine vision camera, let alone the camera processing the image alone. However, even if they were combined they would only teach of a webcam taking a picture and sending the image to a computer for machine vision processing of the image. There is no suggestion or teaching of combining to making a stand-alone camera and processor for used in a machine vision tool and then sending the received information to a human/machine interface.

Accordingly, Anderson and Luster do not teach each and every element, taken singly or in combination, of Applicant's claimed invention because they do not teach *the processing element includes a web server to allow the human/machine interface to*

setup and control the processor from a remote location. Furthermore, there is no teaching or suggestion of combination of Anderson and Luster because they are from two distinct fields of art.

At paragraph 6 of the Office Action claims 6 and 23 were rejected under 35 U.S.C. §103 as being unpatentable over Anderson in view of Luster, and further in view of Cadjan, January 2000, publication “Upgrading Novell Client software across the network using acu.exe,” hereinafter Cadjan.

At paragraph 7 of the Office Action claims 7 and 25 were rejected under 35 U.S.C. §103 as being unpatentable over Anderson in view of Luster, and further in view of Takagi, US Patent No. 6,670,991, hereinafter Takagi, and Bose, US Patent No.4,975,972, hereinafter Bose.

At paragraph 8 of the Office Action claims 8, 9, 26 and 27 were rejected under 35 U.S.C. §103 as being unpatentable over Anderson in view of Luster, and further in view of Takagi, and Bose.

At paragraph 9 of the Office Action claim 10 were rejected under 35 U.S.C. §103 as being unpatentable over Anderson in view of Luster, and further in view of Yu, US Patent No. 6, 804,418, hereinafter Yu.

At paragraph 10 of the Office Action claims 13-15 and 17 were rejected under 35 U.S.C. §103 as being unpatentable over Anderson in view of Luster, and further in view of Nichani, US Patent No. 5,673,3334, hereinafter Nichani.

Furthermore, in particular claims 7 and 25 further claim "*the machine vision tool includes a process that determines an intensity distribution of the image data and that transmits information with respect to the determined intensity distribution*, and wherein the human/machine interface device includes a process for displaying, based upon the information, *a visual representation of the intensity distribution so as to assist in adjusting at least one of lighting intensity, shutter exposure time, lens aperture, and parameters affecting the intensity distribution in the image data*," which is not shown in Anderson, Luster, Takagi, and Bose, taken singly or in combination. There is no disclosure, teaching, or suggestion of a process for transmitting intensity distribution over the Internet, or a like network.

Applicant respectfully notes that claims 6-10, 13-15, 17, 23, 25, 26, and 27 are dependent claims that depend from independent claims, which are believed to be in condition for allowance. Accordingly claims 6-10, 13-15, 17, 23, 25, 26, and 27 are believed to be in condition for allowance.

Therefore, the Applicant believes the application is now in condition for allowance with each of the Examiner's objection and rejection addressed or traversed. The Applicant therefore respectfully requests the Examiner issue a Notice of Allowance at the earliest possible date.

The Applicant earnestly solicits the Examiner to contact the undersigned by telephone call to advance the prosecution of the application in any respect.

Please charge any additional fee occasioned by this paper to our Deposit Account

No. 03-1237.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Loginov', written over a horizontal line.

William A. Loginov
Reg. No. 34,863
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500